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09/585,151	06/01/2000	Richard B. Himmelstein	HIM-PT002.2	5239

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EXAMINER

NEURAUTER, GEORGE C

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 06/01/2004

14

Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/585,151

Applicant(s)

HIMMELSTEIN, RICHARD B.

Examiner

George C Neurauter, Jr.

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1,3-16 and 20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-16 and 20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Claims 1, 3-16, and 20 have been elected with traverse and have been examined. Claims 17, 19, and 21-35 are not elected.

#### ***Continued Examination Under 37 CFR 1.114***

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 22 December 2003 has been entered.

#### ***Claim Interpretation***

3. Claim 1 recites the limitation "...a data table stored on a user's computing device..." However, in view of claim 8, it appears that the data table is displayed on the user's computing device, however, this is not claimed. In order to expedite prosecution, the Examiner will assume that this is the case.

#### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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5. The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

6. Claims 1, 5, and 7-16 are rejected under 35 U.S.C. 103(a) as being unpatentable over "HTML 4.0 Specification" ("HTML") in view of US Patent 6 094 649 A to Bowen et al.

Regarding claim 1, "HTML" discloses a system for accessing and retrieving information on the Internet comprising:

a data table ("HTML table") stored on a user's computing device ("user agent") comprising:

a plurality of columns (Chapter 11, section 11.2.4 "Column groups: the COLGROUP and COL elements"), each of said columns having a heading ("header"; Chapter 11, section 11.1 "Introduction to Tables", paragraph beginning "Table cells may contain either header..." and section 11.2.6 "Table cells: The TH and TD elements"); and

at least one row (Chapter 11, section 11.2.3 "Row Groups: the THEAD, TFOOT, and TBODY elements") having a plurality of cells corresponding to said plurality of columns, said row for storing information defined by said plurality of column headings (Chapter 11, section 11.1 "Introduction to Tables", paragraph beginning "Table cells

may contain either header..." and section 11.2.6 "Table cells: The TH and TD elements");

wherein each of said plurality of cells can be activated to perform at least one action related to said stored information within said cell. (Chapter 11, section 11.2.1 "The TABLE element", "onclick"; Chapter 18, section 18.2.3 "Intrinsic events", "onclick")

"HTML" does not disclose a key phrase field for defining a desired search and a search unit for accessing information on the Internet that matches the information in said key phrase field and for storing said accessed information in said columns if the accessed information further corresponds to said column headings, however, "HTML" does disclose wherein the column headings of a data table are used to correspond to cells (Chapter 11, section 11.4.2 "Categorizing cells")

Bowen discloses a key phrase field for defining a desired search and a search unit for accessing information on the Internet that matches the information in said key phrase field and for storing said accessed information in said columns if the accessed information further corresponds to said column headings (column 1, lines 22-46; column 2, lines 30-36; column 2, line 59-column 3, line 20; column 6, line 64-column 7, line 3)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the system as described in "HTML" with the system as described in Bowen.

Bowen discloses that the system allows a user to access information on the Internet that matches information stored on the Internet using phrases or "keywords" (column 2, lines 19-22; column 3, lines 16-20)

Based on the specific advantages described above in Bowen and wherein a nexus exists such that the references are both directed towards generating HTML documents containing data obtained from a web site in a format to be displayed to the user, one of ordinary skill in the art would have found it obvious to combine the teachings of these references because one of ordinary skill in the art would have appreciated the specific advantages of the secondary reference and would have been directed to the references due to the nexus connecting the references.

Therefore, it would have been obvious to achieve the limitations as described in the claim.

Regarding claim 5, "HTML" and Bowen disclose the system of claim 1.

"HTML" discloses whereby said stored information includes an e-mail address, and said at least one action comprises sending an e-mail to said e-mail address. (Chapter 2, section 2.1.1 "Introduction to URIs", "mailto")

Regarding claim 7, "HTML" and Bowen disclose the system of claim 1.

"HTML" discloses the system further including a cursor and an activity menu having a plurality of activity buttons (Chapter 17, section 17.2.1 "Control types", "menus" and "buttons"); whereby each of said activity buttons defines an action related to said stored information within a cell. (Chapter 17, section 17.2.1 "Control types", "push buttons")

Regarding claim 8, "HTML" and Bowen disclose the system of claim 7.

"HTML" discloses whereby said cursor highlights a cell (Chapter 11, section 11.2.6 "Table cells: The TH and TD elements", "onfocus"; Chapter 18, section 18.2.3

"Intrinsic events", "onfocus") and at least one of said plurality of action buttons change to reflect said stored information. (Chapter 17, section 17.5 "The BUTTON element", "onfocus"; Chapter 18, section 18.2.3 "Intrinsic events", "onfocus")

Regarding claim 9, "HTML" and Bowen disclose the system of claim 1.

"HTML" discloses whereby each row includes a row heading. (Chapter 11, section 11.1 "Introduction to Tables", paragraph beginning "Table cells may contain either header..." and section 11.2.6 "Table cells: The TH and TD elements")

Regarding claim 10, "HTML" and Bowen disclose the system of claim 9.

"HTML" discloses whereby said row headings and said column headings are interchangeable. (Chapter 11, section 11.1 "Introduction to Tables", paragraph beginning "Table cells may contain either header..." and section 11.2.6 "Table cells: The TH and TD elements")

Regarding claim 11, "HTML" and Bowen disclose the system of claim 1.

"HTML" does not expressly disclose further including a centralized database for storing information, whereby said system accesses and retrieves information within said database, however, Bowen does disclose this limitations (column 2, lines 30-36)

Claim 11 is rejected since the motivations regarding the obviousness of claim 1 also apply to claim 11.

Regarding claim 12, "HTML" and Bowen disclose the system of claim 11.

"HTML" does not disclose the system further including a website, for maintaining said centralized database, however, "HTML" does disclose the use of a web site or

“machine hosting the resource” to store information (Chapter 2, section 2.2.1  
“Introduction to URIs”)

Bowen discloses the above limitations (column 2, lines 30-36).

Claim 12 is rejected since the motivations regarding the obviousness of claim 1  
also apply to claim 12.

Regarding claim 13, “HTML” and Bowen disclose the system of claim 12.

“HTML” does not disclose the system further including a plurality of databases,  
said plurality of databases being linked to said centralized database, whereby said  
system accesses and retrieves information within said plurality of databases, however,  
Bowen does disclose these limitations (column 6, line 64-column 7, line 3)

Claim 13 is rejected since the motivations regarding the obviousness of claim 1  
also apply to claim 13.

Regarding claim 14, “HTML” and Bowen disclose the system of claim 13.

“HTML” does not disclose the system further including an input unit, for inputting  
information into said centralized database, however, Bowen does disclose these  
limitations (column 1, lines 22-30)

Claim 14 is rejected since the motivations regarding the obviousness of claim 1  
also apply to claim 14.

Regarding claim 15, “HTML” and Bowen disclose the system of claim 14.

“HTML” does not disclose the system further including a verification unit, for  
verifying said input information, however, Bowen does disclose these limitations  
(column 1, lines 22-30)

Claim 15 is rejected since the motivations regarding the obviousness of claim 1 also apply to claim 15.

Regarding claim 16, "HTML" and Bowen disclose the system of claim 15.

"HTML" does not disclose the system whereby said verification unit further includes tagging means, for tagging all input information with the date of entry, time of entry and origin of said input information, however, Bowen does disclose these limitations (column 1, lines 22-30)

Claim 16 is rejected since the motivations regarding the obviousness of claim 1 also apply to claim 16.

7. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over "HTML" and Bowen et al. as applied to claim 1 above, and further in view of "Hyperactions in a Markup Language" ("Hyperactions").

Regarding claim 3, "HTML" and Bowen disclose the system of claim 1. The motivation to combine these references is shown above regarding claim 1.

"HTML" and Bowen do not expressly disclose whereby said stored information includes a phone number, and said at least one action comprises connecting the system with said phone number, however, "Hyperactions" does disclose these limitations (paragraph beginning "Disclosed is a means of controlling...", lines 1-8)

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the system as described in "HTML" and Bowen with the system as described in "Hyperactions".

"Hyperactions" discloses that the system allows the user to operate hardware using HTML (paragraph beginning "Disclosed is a means of controlling...", lines 4-8)

Based on the specific advantages described above in "Hyperactions" and wherein a nexus exists such that "HTML", Bowen, and "Hyperactions" are directed towards using HTML documents and their associated elements to operate the system, one of ordinary skill in the art would have found it obvious to combine the teachings of these references because one of ordinary skill in the art would have appreciated the specific advantages of "Hyperactions" and would have been directed to the reference due to the nexus connecting the references.

Therefore, it would have been obvious to achieve the limitations as described in the claim.

Regarding claim 4, "HTML" and Bowen disclose the system of claim 1. The motivation to combine these references is shown above regarding claim 1.

"HTML" and Bowen do not expressly disclose whereby said stored information includes a facsimile number, and said at least one action comprises sending a facsimile to said facsimile number, however, "Hyperactions" does disclose these limitations (paragraph beginning "Disclosed is a means of controlling...", lines 1-8)

Claim 4 is rejected since the motivations regarding the obviousness of claim 3 also apply to claim 4.

8. Claims 6 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over "HTML" and Bowen as applied to claim 5 above, and further in view of US Patent 5 826 034 A to Albal.

Regarding claim 6, "HTML" and Bowen disclose the system of claim 5. The motivations to combine the teachings of "HTML" and Bowen are shown above regarding claim 1.

"HTML" and Bowen do not disclose whereby said at least one action further comprises sending a facsimile to said e-mail address, however, Albal does disclose these limitations (column 2, lines 37-59; column 9, lines 8-28, specifically lines 21-25).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to use the system as described in "HTML" and Bowen with the system as described in Albal.

Albal discloses that the invention is able to enable a user to send any type of communication by any other type of communication through the use of converting the sent communication into the format of the communication to be received through the Internet (column 2, lines 43-57)

Based on the specific advantages described above in Albal and wherein a nexus exists such that the references are both directed towards sending data via a network such as the Internet, one of ordinary skill in the art would have found it obvious to combine the teachings of these references because one of ordinary skill in the art would have appreciated the specific advantages of the secondary reference and would have been directed to the references due to the nexus connecting the references.

Therefore, it would have been obvious to achieve the limitations as described in the claim.

Regarding claim 20, "HTML" and Bowen disclose the system of claim 5. The motivations to combine the teachings of "HTML" and Bowen are shown above regarding claim 1.

"HTML" and Bowen do not disclose wherein said at least one action further includes providing a voice connection to said e-mail address, however, Albal does disclose these limitations (column 2, lines 37-59; column 9, lines 8-28, specifically lines 21-25).

Claim 20 is rejected since the motivations regarding the obviousness of claim 6 also apply to claim 20.

### ***Conclusion***

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

US Patent 5 202 828 A to Vertelney et al;

US Patent 5 752 253 A to Geymond et al;

US Patent 5 877 746 A to Parks et al;

US Patent 5 835 089 A to Skarbo et al;

US Patent 5 918 225 A to White et al;

US Patent 5 923 736 A to Shachar;

US Patent 6 131 096 A to Ng et al;

US Patent 6 374 259 B1 to Celik;


US Patent 6 701 485 B1 to Igra et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George C Neurauter, Jr. whose telephone number is 703-305-4565. The examiner can normally be reached on Monday-Saturday 5:30am-10pm Eastern.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 703-308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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